THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.15370 of 2006

Dated: 01-08-2006

Between:
Gangarapu Lakshmi Devi Petitioner

And

The State Election Commissioner, A.P.Hyderabad and others

Respondents

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No.15370 of 2006

ORDER:

1. The main ground of attack is that though objections relating to the disqualification under Section 19 (3) of A.P.Gramapanchayat Act, 1994 had been raised, the same was not considered and the nomination was accepted.

2. The writ petition is filed for a Writ of Mandamus declaring the action of the 3rd respondent in not rejecting the nomination of the 4th respondent for the post of Sarpanch of Cumbum Grampanchayat as illegal, void and arbitrary and consequently declare that the 4th respondent is not entitled for contesting the post of Sarpanch of Cumbum Gramapanchayat and pass such other suitable orders.

3. It is needless to say that this being a question of fact, the same cannot be gone into by a writ court at this stage. The petitioner is having a remedy by way of election petition. Hence, liberty is given to the petitioner to approach the appropriate election tribunal.

4. With the above observation, the writ petition is disposed. No order as to costs.

_____

01-08-2006

Stp